

**MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – NOVEMBER 19, 2008 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD**

1. CALL TO ORDER.

Mayor Stearley called the meeting to order at 6:30PM.

All Councilors were present.

Also present was Ms. Karen Mahalick, Planning & Zoning Manager, and Ms. Estefanie B. Muller, Clerk-Treasurer.

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF AGENDA.

Mayor Stearley requested a change to the Agenda in which Item I be switched with Item J.

MOTION: Councilor Hill made a motion to approve the Agenda with the changes as presented. Councilor Felton seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

4. MATTERS FROM THE MAYOR.

A. Appointment of Energy Committee Members.

Mayor Stearley requested the appointment of the Energy Committee Members to include Councilor Abrams as the Chairman, Mr. Jeff Zirzow, Ms. Rita Snyder, Mr. Jim Edmiston, Mr. Eric Jones, and Mr. Donzel Worthington.

MOTION: Councilor Abrams made a motion to approve the appointments as stated. Councilor Hill seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

Councilor Hill asked if there were still positions available on the Committee. Councilor Abrams stated that there were.

B. Update on Meeting with Commissioner Pat Lyons.

Mayor Stearley and Ms. Mahalick reviewed this item for Council.

Mayor Stearley stated that Mr. Jerry King will expedite the application and will waive the fee. He also discussed the Exit Conference with the Auditor scheduled for Monday November 24, 2008 and a Councilor would need to be present.

Councilor Simmons stated that she could attend in the morning.

Ms. Muller stated that she would schedule this for 10:00 A.M.

5. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

Councilor Simmons stated that she had attended the Santa Fe, County Commission

Meeting at which the Fire Chief was trying to get some reimbursement funds for mileage but the vote ended in a tie. She also discussed volunteerism and the wonderful people who volunteer.

Mayor Stearley discussed the next Commission Meeting on December 9, 2008 that he plans to attend and address the Commission.

Mayor Stearley stated that he would not have a chance to speak to Commissioner Brasher before the Regional Animal Shelter Meeting on Friday.

6. MATTERS FROM THE ATTORNEY.

None.

7. PUBLIC COMMENTS. (Limit to 2 minutes per person).

None.

8. MATTERS FROM THE MUNICIPAL JUDGE.

C. Judge White will present his report for the month of October, 2008.

Judge White presented his report for the month of October. He also thanked Ms. Muller and Ms. Mahalick for allowing Ms. Kathy Smith to work the Court Project.

9. ANIMAL CONTROL REPORT – Officer Victoria Murphy.

D. Animal Control Report for the month of October, 2008.

Officer Murphy was not present.

The Animal Control Report was included in the Council packets for review.

10. EDGEWOOD POLICE DEPARTMENT – Chief Paul Welch.

E. Holiday Events Schedule.

Chief Welch presented his report to the Council. He also gave an update on the status of his officers and the upcoming events that the Police Department will be involved in.

He stated there will be Toys for Tots event and items can be dropped off at the Town Hall or the Police Department.

Chief Welch stated that at this time they would not be accepting cash donations.

Mayor Stearley asked about the participation with the schools for Halloween.

Chief Welch stated that they met with the kids and did some fingerprinting.

Mayor Stearley asked about the Chiefs certification.

Chief Welch stated that he was now fully certified in the State of New Mexico.

Mayor Stearley congratulated the Chief on the certification and stated that he understood that he placed very high in the rankings.

Chief Welch discussed the importance of working with the children of the community as often as possible.

11. EDGEWOOD COMMUNITY LIBRARY REPORT – Ms. Carol Bowman.

F. Board Meeting Minutes and Library Report.

Ms. Carol Bowman discussed her report stating that this would likely be her last presentation to the Council.

Mayor Stearley thanked Ms. Bowman for her hard work and dedication to the Library and the Town.

Mayor Stearley updated the Council on the remodeling that was taking place at the new location for the Library, stating that a ribbon cutting could be held before Christmas.

12. TOWN OF EDGEWOOD STAFF.

G. Introduction of Equipment Operator – Mr. Jose Lopez.

Ms. Mahalick introduced Mr. Jose Lopez as the newest member of the Road department and thanked him.

H. Approval of Librarian – Ms. Peggy Martinez

Ms. Muller updated the Council on the Librarian Position and the committee and that completed the interviews. She stated that the committee had made a decision and would ask the Council to approve Ms. Peggy Martinez for the position at a Grade 43-Step 7 (\$16.85), full time status, with a six month probation period and standard process.

Mayor Stearley asked Ms. Linda Holle to give the Council a little background on Ms. Peggy Martinez.

Ms. Holle listed some of the experience that Ms. Martinez would bring to the position.

Mayor Stearley stated that he would like to appoint Ms. Martinez to the Librarian Position and he asked that Council approve this appointment.

MOTION: Councilor Felton made a motion to approve Ms. Peggy Martinez to the position of Librarian. Councilor Hill seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

13. E.V.E.D.A. UPDATE – Ms. Myra Pancrazio.

Mr. David Tixier the Vice President of the Executive Board introduced other members of the Board and thanked the Council for allowing him to come and present the report. He also took this time to thank Councilor Felton for sitting on the Board and Councilor Simmons for attending the 10 Year Anniversary Luncheon.

Ms. Myra Pancrazio reviewed the report for Council and the Public. She also discussed the Renewable Energy Bill stating that there was now a little more breathing room.

Ms. Pancrazio also discussed Power Plants and Renewable Energy, including the use of wind, solar and bio-fuel. She stated that there are a couple of pieces of property here in the Edgewood area that are being looked at for Power Plant locations.

Ms. Pancrazio updated the Council on the growth of their organization to date stating that it was up 30% and that the majority of the funds are private. She also discussed the fiber-optic upgrade to local phone lines.

Ms. Pancrazio stated that there are funds available for public works projects and that she wanted to be sure that the Council was aware of this.

Mayor Stearley asked what kind of projects would qualify for funding.

Ms. Pancrazio stated that sewer, water, and road projects would all qualify.

Ms. Pancrazio discussed the most recent labor study and Claritus Reports for the 4 County Area that includes Edgewood. She also updated Council on the EDD Capital Outlay Projects.

Mayor Stearley asked if a Regional Animal Shelter would qualify.

Ms. Pancrazio stated yes it would and asked who the JPA's were currently with.

Mayor Stearley stated that the Town had been working with Santa Fe County, Bernalillo County, Torrence County, and Tijeras.

Ms. Pancrazio discussed the legality of JPA's with other governmental entities.

Mayor Stearley asked about another Call Center to replace the one that was lost.

Ms. Pancrazio stated that there was another Call Center in the works and that a task force was working on it.

14. PARKS & RECREATION REPORT.

I. Parks & Recreation Monthly Report for the month of October, 2008.

Roger reviewed his report for Council. He also discussed the work on the trails including clearing and chipping and stated that VFO would come and build these trails and he was asking for a \$1,000.00 donation to them.

Ms. Muller stated that this would need to be discussed as the town can not simply donate the money.

Councilor Felton suggested that they may consider a trail workshop.

Mr. Holden stated that they would agree to that.

Mayor Stearley stated that this could be placed on a December Agenda.

Councilor Felton asked that the Attorney be present for the next meeting so that he may direct Council on this matter

J. Youth Activities Presentations.

1. Teens.

Mr. Roger Holden introduced the Teens Presentation portion by Ms. Heather Higgins, Ms. Tiffany Hail, Ms. Jessica Romero, and Ms. Patty Figueroa on the benefits and the need for a Teen Center.

Mr. Holden discussed some of the possible locations and gave descriptions and costs of each.

Mayor Stearley asked for clarification of the Open House Event, the cost to the Town and then the agreement if there is enough interest.

Ms. Cheryl Higgins discussed the staffing of the facility by volunteers and see how it goes under a trial basis.

Councilor Simmons asked if there would be fee charged to the teens. She also stated that it would make the teens feel invested in the Center.

Ms. Higgins discussed the possibility of the teens establishing a committee to make decisions such as fees, purchases and other issues that may arise.

Mayor Stearley stated that it was his opinion that any moneys raised would be used by the teens and not the Town.

Councilor Simmons asked how many teens can be found hanging out at Wal-Mart.

The teens responded stating that it varies but that there are a lot and they see each other in the aisles.

Councilor Felton asked if liability insurance had been worked out.

Ms. Muller stated that the carrier needed more information.

Councilor Felton asked if the volunteers would have background checks.

Ms. Higgins responded stating that they would all be teachers and so therefore would have had background checks.

Councilor Felton stated that they needed to be looking at implementing a set of guidelines and bi-laws.

Councilor Hill asked if the Youth Centers that Councilor Felton was involved with were run in connection with a school.

Councilor Felton stated that they were operated by UNM and a contract with CYFD.

Councilor Hill stated that there was still a lot to work to be done to make this happen.

Councilor Felton offered to assist in the pursuit of grants and funding.

Ms. Higgins asked that for the time being the Town at least fund a Kick-Off.

Council discussed the use of the Community Center as a means to get the Kick-Off scheduled.

Councilor Abrams asked about the time frame for the demolition at Liberty Square.

Mr. Holden responded from the audience and stated that the price was good as well as the flexibility but possibly in one year it would be flattened.

Mayor Stearley asked about furniture.

The teens stated that they would utilize folding chairs that can be borrowed for the event.

Councilor Hill stated that the Council could budget a set dollar amount and then turn it over to Mr. Holden to put it together.

Mayor Stearley stated that he would like to see the amount at \$1,100.00.

Councilor Felton stated that this was how these groups were formed and that this was very reasonable.

Councilor Abrams asked if there was funding in the Parks & Recreation budget.

Mr. Holden responded no.

The Council decided to have a Special Council Meeting on Tuesday, November 25, 2008 at 6:00 P.M. at the Town Hall.

2. Elementary.

Ms. Audrey Jaramillo made a presentation to the Council regarding Edgewood After School Program nicknamed the Easy Program. She stated that this program would held at Edgewood Elementary School and would be available to all children in the community at an estimated cost of \$50.00 each for the first child and \$35.00 for each additional child per month.

Mayor Stearley asked about conflicts between after school programs.

Ms. Jaramillo stated that there would not be any conflicts.

Councilor Hill asked about the population in the three schools that would have students participate.

Ms. Jaramillo stated that there were roughly 700 kids not including home school children in the area.

Councilor Hill suggested a lottery as a means to determine which children could participate.

Ms. Jaramillo stated that if the funding was made available then more staff could be brought in and the numbers could be increased as they space is not an issue.

Councilor Felton suggested that a survey be sent home with students to find out how many children would like to be included in this program.

Councilor Abrams stated that the numbers need to be determined and that a lottery was a great suggestion and that a Regional Program could be established with the help of Council, Legislature and EVEDA.

Councilor Felton asked if the Town of Moriarty would be included and then would there be a need for more than one location.

Councilor Abrams stated that he felt there would be a need for more than one location. Councilor Hill discussed the Town putting together an RFP for an Organization to manage the project.

Mayor Stearley stated that he agreed.

Councilor Simmons asked if Ms. Couch had any feedback for the Council on this matter.

Ms. Jaramillo stated that Ms. Couch agreed that there is a great need and that the funds are not readily available.

Mayor Stearley asked if Shinning Star was a non-profit or for profit company.

Ms. Jaramillo stated that she thought it was for profit and that she had tried to include them in the meetings but they had not shown any interest to date.

Mayor Stearley discussed a business in Moriarty that says they have an after school program.

Councilor Felton discussed a PTO program for after school programs in Albuquerque.

Mayor Stearley discussed after school programs that he was familiar with at a reasonable cost.

Councilor Hill asked if the schools could do this as an enterprise activity that the Town could help fund but that the Town was not in the business of running these types of programs but could find the right people to do so.

Councilor Simmons reminded the Council that Ms. Jo White was also a great resource for programs like this and that the list of volunteers is a good place to start.

Ms. Jaramillo stated that this brainstorming has been very helpful and that the next step is to take this to the school board and she invited anyone who was interested to attend and help out. She also stated that there is still time and they would like to get this started before the next school year. She stated that the next meeting will be December 16, 2008.

Councilor Simmons asked Ms. Jaramillo if she had all the information she needed from Council to present at the School Board Meeting.

Councilor Felton stated that he felt she would start with a sliding scale for fees.

Councilor Hill suggested that a survey be completed first and sent out with the school newsletter.

Councilor Felton suggested that she explore activities when approaching the survey and that this would likely generate more interest.

Mayor Stearley stated that at this point they needed to get some feedback from the School Board.

Councilor Simmons asked if Ms. Karen Harrison was another resource to consider.

Mayor Stearley stated she was a part of the committee.

Ms. Jaramillo stated that the younger children would need to be channeled into activities and would need snacks as well.

Councilor Hill suggested that homework needed to be a focus.

Ms. Jaramillo discussed some of the costs including staff and food for snacks.

K. Section 34.

1. Clean-Up Scheduled November 22, 2008.

Mr. Holden discussed the time and the details of this cleanup.

2. Survey and Fencing Proposal.

Mr. Holden discussed some of the issues that a citizen had brought to his attention regarding fireworks and gunfire on Section 34. He also stated that the Edgewood Police could not enter because it has not been annexed yet.

Councilor Felton asked about JPA with the County to take care of these issues until the annexation takes place.

Mayor Stearley asked Mr. Holden to place the costs for fencing on the next Agenda for a vote. He asked that an extra cost for barriers be included.

Councilor Abrams expressed concern over the gunfire that has been brought up at other meetings and the possibility of a shooting range.

L. Update on Athletic Field State Appropriation.
Roger updated Council on this item.

15. RESOLUTIONS.

M. Resolution No. 2008-62 – Frost Road Change Order.

Ms. Mahalick reviewed this item for the Council and stated at the previous meeting they had approved the change order and this Resolution puts the funds in place.

MOTION: Councilor Hill made a motion to adopt Resolution No. 2008-62 Frost Road Change Order. Councilor Simmons seconded for discussion.

Councilor Simmons asked for clarification on the length of the new paving.
Ms. Mahalick stated that the new paving would go all the way to Broken Arrow Road.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

N. Resolution No. 2008-63 – Participation in the NMDOT Cooperative Program.

Ms. Mahalick reviewed this item for the Council explaining that the funds for this are already in the 2008/2009 budget and it is a 25/75% match with a total of \$63,750.00 and will go towards the renovation of Edgewood 7.

MOTION: Councilor Hill made a motion to adopt Resolution No. 2008-63.
Councilor Abrams seconded the motion.

Ms. Mahalick asked for a change in the language to clarify the correct road names.

MOTION: Councilor Hill amended his motion to adopt Resolution No. 2008-63 with the following change to the language:

The Renovation of paving on Edgewood 7 from Highway 333
South to Windmill Road. Councilor Abrams seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

16. COMMUNITY DEVELOPMENT REPORT.

O. Approval of Change Order for Wastewater Project.

Ms. Mahalick reviewed this item for Council stating that on October 29, 2008 the Town received a permit to construct the wastewater collection lines within the I-40 easement. She also stated that subsequent to the Highway Department approval an email was

received on November 6, 2008 rescinding this authorization to construct and the contractor was made aware of the situation. She added that the contractor mobilized and continued work on November 10, 2008 and at this time the contractor has moved to the Church St. area and is attempting construction.

Ms. Mahalick asked Council to approve staff to do a change order removing the I-40 wastewater collection segments from the present contractor and allow staff to discuss further design with the engineer. She also presented a cost of \$10,000.00 to redesign and easements and removal of the Contractor at a cost of \$65,000.00. She stated that she would bring the exact figures as soon as they were available.

Councilor Hill asked for clarification regarding the contractor continuing work after the authorization was rescinded.

Ms. Mahalick responded stating that this was all going to be discussed in a meeting tomorrow with the Town Attorney, Ms. Mahalick, Mayor Stearley, the Attorney for J & D Contracting and the President of J & D Contracting, Mr. Jerry Dow.

Councilor Hill asked if the language was Standard American Arbitration Language.

Ms. Mahalick stated this would be discussed with the Attorney and then be reported back to Council.

Ms. Mahalick stated that at this time she was asking for approval from Council on a change order to remove the segment from the contractor.

MOTION: Councilor Hill made a motion to approve the change order. Councilor Felton seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

17. APPROVAL OF PREVIOUS MINUTES.

P. Regular Council Meeting Minutes of November 5, 2008.

MOTION: Councilor Felton made a motion to approve the Minutes of November 5, 2008. Councilor Hill seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

18. ACKNOWLEDGE RECEIPT OF THE PLANNING & ZONING COMMISSION MEETING MINUTES.

Q. Regular Planning & Zoning Meeting of November 3, 2008.

MOTION: Councilor Felton made a motion to acknowledge receipt of the Planning & Zoning Minutes of November 3, 2008. Councilor Hill seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

19. FINANCE & ADMINISTRATION.

Initials

R. Approval of Town Bills.

MOTION: Councilor Simmons made a motion to approve the Town Bills. Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

S. Approval of Financial Report.

MOTION: Councilor Abrams made a motion to approve the Financial Report. Councilor Simmons seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

20. ANNOUNCEMENTS, CALENDAR REVIEW & FUTURE AGENDA ITEMS.

T. Regular Council Meeting – December 3, 2008.

U. Regular Council Meeting – December 17, 2008.

NOTE: The Town Hall Offices will be closed on Thursday November 27th in observance of Thanksgiving Day and Friday, November 28th in observance of President's Day.

21. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn the meeting.

VOTE: All Councilors voted aye.

Mayor Stearley adjourned the meeting at 9:20 P.M.

PASSED, APPROVED AND ADOPTED this 3rd day of DECEMBER, 2008.

Honorable Robert Stearley, Mayor

ATTEST:

Estefanie B. Muller, Clerk-Treasurer